



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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AUG 1 2 2003

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

217/782-9540

**Mr. Jeff Kleive, Chair
Performance Track Participation Association
One Thomas Circle, NW Tenth Floor
Washington, DC 20005**

Dear Mr. Klieve:

Thank you for your letter of July 14, 2003 regarding the Performance Track Participants Association. The Illinois Environmental Protection Agency (Illinois EPA) is very much aware of the Association and the National Environmental Performance Track Program (KEPT). We have been involved with USEPA since the inception of the program and have attended annual conferences, been actively involved in programmatic discussions, and have provided comments and suggestion to USEPA.

At this time, we have fourteen facilities in Illinois that are currently participating in the national program. Illinois EPA previously reviewed their applications and provided comments to the USEPA prior to their entry into the program. In addition, we participated in the recent inspections and review of the annual reports from these facilities. We will continue to provide comments for any new facility requesting an application in Illinois.

We clearly recognize the intent of the NEPT program to encourage facilities to go beyond compliance with environmental laws. In 1996, the Illinois EPA amended the Environmental Protection Act to implement a voluntary regulatory innovation pilot program. This amendment created an opportunity for Illinois EPA to enter into agreements with persons under the Act to implement "innovative environmental measures". At this time, we have had discussions and entered into such agreements with three facilities in Illinois. Within these agreements, we have agreed upon and achieved environmental benefits while providing some of the flexibility items you mentioned in your letter. As you can see, we recognize, and have been fully participating in NEPT and similar programs.

Recently, we amended the Act to include a provision to align the requirements of the state program with the national program. This amendment provides that the agreements we enter upon at a state level may be executed with the participants of the National Environmental Performance Track program. We hope to enter into a Memorandum of Agreement with USEPA to implement these provisions.

If we can provide you further information or you have additional questions, please contact Ms. Angela Tin of my staff at 217/782-1657.

Sincerely,



**Renee Cipriano,
Director**

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